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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/743,825	12/24/2003	Akira Kinno	247194US8X	1141
22850	7590	06/26/2007	EXAMINER	
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			RIES, LAURIE ANNE	
		ART UNIT	PAPER NUMBER	
		2176		
		NOTIFICATION DATE	DELIVERY MODE	
		06/26/2007	ELECTRONIC	

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No.	Applicant(s)
	10/743,825	KINNO ET AL.
	Examiner	Art Unit
	Laurie Ries	2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 13 April 2007.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-9 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 24 December 2003 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>2/26/07</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to communications: Request for Continued Examination, filed 13 April 2007, to the Original Application, filed 24 December 2003.
2. The rejection of claims 1-9 under 35 U.S.C. 103(a) as being unpatentable over Callahan (U.S. Publication 2002/0157023 A1) in view of Sheynblat (U.S. Patent 6,677,894 B2) has been withdrawn as necessitated by amendment and newly found prior art.
3. Claims 1-9 are pending. Claims 1, 5, 6, 7, 8, and 9 are independent claims.

Request for Continued Examination

4. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 26 December 2006 has been entered.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Callahan (U.S. Publication 2002/0157023 A1) in view of Sheynblat (U.S. Patent 6,677,894 B2) and Nussbaum (U.S. Patent 6,779,154 B1)

As per independent claims 1 and 5-9, Callahan teaches an apparatus, program and method for converting a structured document including acquiring distribution rule information sent from a remote source when data contents are sent to a distribution means (See Callahan, Figure 3, elements 308a, b, and c), including rules as to who may receive and view a particular file, which describe contents rules and receiver side situation information, such as a patient's assigned physician, etc (See Callahan, Page 3, paragraphs 0052-0054, and Page 5, paragraphs 0071-0072).

Callahan also teaches generating conversion rule information for converting structured documents with described content where the converting rules are based on the receiver side situation information previously acquired (See Callahan, Page 6, paragraphs 0074-0075 and paragraphs 0081-0082).

Art Unit: 2176

Callahan also teaches converting the structured documents on the basis of the conversion rule information (See Callahan, Page 6, paragraph 0083) and storing the structured documents in a computer readable memory for subsequent retrieval (See Callahan, Figure 3, element 306).

Callahan does not teach expressly that the converting rules are based upon distribution rule information in addition to the receiver side situation information.

Sheynblat teaches that information may be sent based on distribution rules that include a user's location and the like (See Sheynblat, Column 20, lines 15-26).

Callaghan also does not teach expressly that the conversion of the structured documents does not include an intermediate conversion of the structured documents.

Nussbaum teaches converting a structured document directly into another structured document, such as converting an XML document directly into an HTML document (See Nussbaum, Figure 1, and Column 4, lines 22-30)

Callahan, Sheynblat, and Nussbaum are analogous art because they are from the same field of endeavor of transmitting structured information across a network, such as the Internet.

At the time of the invention it would have been obvious to one of ordinary skill in the art to include the distribution rule information of Sheynblat in the generation of converting rules of Callahan. The motivation for this would have been to allow for the inclusion of targeted marketing, billing, etc, based on a customer's location (See Sheynblat, Column 20, lines 26-31).

At the time of the invention it would also have been obvious to one of ordinary skill in the art to include the direct conversion from one structured document to another of Nussbaum with the conversion rule information of Callaghan. The motivation for doing so would have been to preserve the original structured document such that the new document may be easily converted back for future analysis (See Nussbaum, Column 9, lines 4-16)

Therefore it would have been obvious to combine Sheynblat and Nussbaum with Callahan for the benefit of allowing for the inclusion of targeted marketing, billing, etc., based on a customer's location, and preserving the original structured document such that the new document may be easily converted back for future analysis, to obtain the invention as specified in claims 1, 5 and 6.

As per dependent claim 2, Callahan, Sheynblat, and Nussbaum teach the limitations of claim 1 as described above. Callahan also teaches that the generating includes extracting evaluation objects of the conditions includes in distribution rules and extracting receiver side situation information (See Callahan, Page 6, paragraph 0081). Callahan also discloses evaluating the conditions on the basis of the receiver side situation information extracted by the second extraction and on the basis of the results of the evaluation on the conversion rules information (See Callahan, Page 6, paragraph 0081).

As per dependent claim 3, Callahan, Sheynblat, and Nussbaum teach the limitations of claim 2 as described above. Callahan also teaches that when the evaluation is a negative evaluation, such as excluding some physicians from viewing a

Art Unit: 2176

patient's medical test record, generating the conversion rule information to delete objects corresponding to the conditions under which the evaluation has been performed from the structured document (See Callahan, Page 6, paragraph 0082).

As per dependent claim 4, Callahan, Sheynblat, and Nussbaum teach the limitations of claim 2 as described above. Callahan also teaches a memory for storing the conversion rule information as created in claim 2 (See Callahan, Page 6, paragraph 0073; and Figure 1, element 106).

Response to Arguments

6. Applicant's arguments with respect to claims 1-9 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Laurie Ries whose telephone number is (571) 272-4095. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon, can be reached on (571) 272-4136.

Art Unit: 2176

8. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Laurie Ries
Patent Examiner
Art Unit 2176